



Proskauer Rose LLP Eleven Times Square New York, NY 10036-8299

March 15, 2021

**By eFile**

Honorable Leda Dunn Wettre  
United States Magistrate Judge  
United States District Court  
District of New Jersey  
Martin Luther King Building  
50 Walnut Street, Room MLK 3C  
Newark, NJ 07101

Joseph C. O'Keefe  
Member of the Firm  
d +1.212.969.3019  
f 212.969.2900  
jokeefe@proskauer.com  
www.proskauer.com

Re: *Howmedica Osteonics Corp. v. Brett Howard, et al*  
U.S. District Court, District of New Jersey, Case No. 19-cv-19254-SDW-LDW

Dear Judge Wettre:

Pursuant to the Court's March 8, 2021 Order (ECF No. 58), Plaintiff Howmedica Osteonics Corp. ("Plaintiff") and Defendants Brett Howard and Corey Petulla ("Defendants") jointly submit this status letter regarding their efforts to resolve any outstanding written discovery disputes.

Since the February 8, 2021 telephonic status conference with the Court, the parties have made good progress on resolving their outstanding written discovery disputes. Counsel for the parties have met and conferred four times (on February 9, 2021, February 19, 2021, March 4, 2021 and March 9, 2021) to discuss perceived deficiencies in their respective written discovery responses and document productions and those of third parties Alphatec Spine, Inc. and Katherine Salcido. Pursuant to those discussions, Plaintiff and Defendants have supplemented certain responses, and have reached agreements on all other outstanding issues.

While the parties have not yet had the opportunity to produce and review all of the additional documents and information they have agreed to exchange, we are optimistic that the intervention of the Court may not be necessary. The possibility remains, however, that once the parties have completed the agreed exchanges, issues and disputes may arise. If that happens, we will advise the Court by joint letter.



Honorable Leda Dunn Wettre  
March 15, 2021  
Page 2

Respectfully submitted,

PROSKAUER ROSE LLP

By: /s/ Joseph C. O'Keefe

Joseph C. O'Keefe  
Margaret F. Swetman (*admitted pro hac vice*)  
*Attorneys for Plaintiff*

SHEPPARD, MULLIN, RICHTER  
& HAMPTON, LLP

/s/ Christopher Collins

Christopher Collins  
Sean J. Kirby  
Stephen Fox (*admitted pro hac vice*)  
*Attorneys for Defendants*